

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	David J. Jorgenson et al.	Confirmation No.	3045
Serial No.:	10/781,426	Examiner:	Rex. R. Holmes
Filed:	February 18, 2004	Customer No.:	27581
Docket No.:	P008050.05/1111-122US01	Group Art Unit:	3762
Title:	IMPLANTABLE LEAD FUNCTIONAL STATUS MONITOR AND METHOD		

TERMINAL DISCLAIMER

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

The owner of record of a 100 percent interest in the above-identified application, Medtronic, Inc. (Reel/Frame 010562/0983), hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the term of prior U.S. Patent No. 6,721,600. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certification, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Date:

1/21/0

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